

Weston, Wisconsin
OWP Wellhead Protection District
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Zoning Ordinance

Town of Weston Zoning Ordinance 17.11-14(1) OWC Woodlands Conservation Overlay District
native to some woodland destruction, the Commission shall seek to limit the destruction to the smallest amount possible by requiring limited construction areas around buildings and other improvements, narrower drives and roadways, and building and road levels which least cause tree loss from grading.

2. Clustering-Repositioning: In cases where woodlands are in groups mixed with open space, the Commission shall seek to encourage and allow alternative arrangements of the roadway and subdivisions plan including modification of lot size or shapes, and or the location of buildings and parking lots within those lots or within the tract if subdividing is not involved, so as to cause the least destruction of woodlands, for example arranging that the trees fall in required year areas rather than in the buildable portions of lots. Where necessary, the Commission shall encourage application of the OPD Planned Development Project overlay district to effect any necessary modifications in lot size, building placement or substitution of other building types, to accomplish the tree preservation plan.

3. Replacement: In cases where in the Commission's judgment some tree loss is unavoidable, the Commission shall require replanting on the same or nearby properties as the petitioner is able to arrange. Replanting shall be at the ratio of 2 acres of new plantings for each acre of lost mature woodlot. The Commission may prepare tree planting plans in anticipation of such reforestation plans so that isolated tree groups become connected, bare steep slopes become tree planted, and other objectives of woodland preservation are achieved.

17.11-14 (2) OWP Wellhead Protection District

A. Statement of Intent: This district is intended to protect from contamination the groundwater recharge zone of the Town of Weston's existing and planned municipal groundwater wells, which wells supply the potable water to the Town's many residential, business, institutional and other utility customers. This district is necessary because the water utility by geological necessity must draw its water from the ground levels lying close to the surface, which grounds contain soil types which

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rapidly transmit pollutants, thereby threatening the entire ground water supply being drawn upon by the municipal wellhead.

1. Supremacy of this District: The choice of regulation employed via this overlay district is to entirely prohibit certain uses that otherwise may be permitted by basic and other overlay districts

falling within the confines of this overlay district. The regulations of this district shall supercede the regulations of all other such districts occupying the same geographic area.

2. Uses Prohibited: The uses prohibited by this district have been identified in geologic surveys as risks for groundwater contaminations. This method of regulation by complete prohibition is employed to provide the greatest assurance that inadvertent discharge of pollutants into the ground water supply will not occur, since groundwater cleanup is often prohibitively expensive, and liability for such cleanup is often hard or impossible to establish.

3. Use List Not Exhaustive: The uses prohibited by this district represent the state of present knowledge and most common description of said uses. As other polluting uses are discovered, or other terms of description become necessary, it is the intention to add them to the list of uses prohibited by this district. To screen for such other uses or terms for uses, no use shall be permitted in this district without first submitting its building, site and operational plans for Planning Commission review and approval under section 17.05 of this Ordinance.

4. Changing Technology; The uses prohibited by this district are prohibited based upon the combined pollution experience of many individual uses, and the technology generally employed by that class of uses, which technology causes the uses as a class to be groundwater pollution risks. As the technology of identified use classes changes to non-risk materials or methods, upon petition from such a use, and after conferring with expert geological and other opinion, it is the intention to delete from the prohibited list, or allow conditionally, uses which demonstrate convincingly that they no longer pose a pollution hazard.

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5. Substitution of Hazards Prohibited: In dealing with uses or classes of uses which attempt to become permissible, under the terms of this district, by continuing to utilize pollutant materials but altering their methods of storage or handling, for example transferring materials storage from leak prone but explosion resistant underground tanks, to leak resistant but explosion vulnerable above ground vessels, it is not the intention to accept such alternate hazards as the basis for making a use permissible. It is

-the intention to continue the ban on such uses until the technology of the class of uses removes reliance upon the pollutant materials or processes. -

B. Permitted Use~ By Right: All uses permitted by underlying basic or other overlay zones are

permitted, subject to review of the building, site and operational plans of such uses by the Planning Commission pursuant to section 17.05 of this Ordinance, whether required or not by the

underlying and other overlay districts, except the following uses, which are specifically prohibited by district:

List of Prohibited Uses:

1. Animal waste storage areas and facilities.
2. Asphalt- ingredients storage or processing plants.--
3. Automobile or truck laundries.
- 4.. Automobile or truck fuel sales or service stations. ;:- --..- -
5. Building~ materials and products storage yards.~~.-.~8 -
- 6. Cartage facilities, truck terminals.
- - - 7. Cemeteries.-'< -
8. Chemical storage,- sale, processing or manu

facturing> plants.

- 9. Dry cleaning establishments.
10. Electronic circuit manufacture or assembly plants.--- ~~
- 11.- Electroplating operations.
12. Exterminating supply, storage, or application
- shops.

13. Fertilizer manufacturing or storage operations.

14. Foundries and forge plants.

115. Garages for repair and servicing of motor vehicles, including body repair, painting1 or engine rebuilding.

16. Highway salt storage areas.

17. Industrial liquid waste storage areas.

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18. Junk/Recycling yards, motot vehicle salvage yards.
19. Landfills, areas for dumping or disposal of garbage, refuse, trash or demolition material.
20. Metal reduction and refinement plants.
21. Mining operations.
22. Motor and machinery service and assembly shops.
23. Motor freight terminals.
24. On-site soil absorption sewage treatment systems on new lots under 40,000 sq.ft.
25. Paint products manufacturing.
26. Petroleum products storage or processing.
27. Photography studios, inv6lving the developing of film or pictures.
28. Plastics manufacturing.

29. Printing and publishing establishments.
30. Pulp and paper manufacturing.
31. septage and municipal sewage sludge disposal sites.
32. storage, manufacturing or disposal of toxic or hazardous materials.
33. Underground petroleum products storage tanks for industrial, commercial, residential or other uses. (see also 126).
34. Woodworking and wood products manufacturing.

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C. Permitted Accessory Uses: All accessory uses permitted by the underlying basic or other overlay zones are permitted, subject to review of the building, site and operational plans of such uses by the Planning Commission pursuant to section 17.05 of this Ordinance, whether required or not by the underlying and other overlay districts, except those uses prohibited in A. preceding, which are hereby prohibited whether judged to be principal or accessory -
 - - - - - uses. - - - - -

D. Uses Permitted By Conditional Grant: Any class of uses prohibited by this district may become a use permitted by right, or an individual use
 - within a class potentially may be permitted by conditional grant pursuant to A.4. of this district, Changing Technology.

However, the Planning Commission shall not favorably recommend to the Town Board a petition to remove a use from the Prohibited List of this district, nor favorably process a petition for conditional use status, notwithstanding any of the provisions of section-17.06 of this

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Ordinance, without being sure beyond a reasonable doubt, that the action will not materially violate the Intent of this district, resulting in exposure of the public water supply to pollution.

17.11-14 (3) OME Mineral Extraction Overlay District

A. Statement of Intent: This district is intended as the regulatory method for establishing minimal controls for existing operations, and for permitting proposed new operations, involving either removal of earth materials or for filling, the regulations herein being particularly oriented to assuring safe, nuisance-free operations leading systematically to a restored site having future usefulness, either for agriculture where so basically zoned, or for urban uses where so planned or zoned.

B. Permitted Uses By Right: The following subject to approval by the Planning Commission of building, site and operation plans (see section 17.05): New Uses involving:

D 1. Quarrying, and removal of sand and gravel including washing, crushing and similar processing, provided that all excavations shall be at least 200 feet from any right of way or

property line, and all accessory uses such as office, parking areas, or stock piles shall be at least 100 feet from right-of-way and property lines.

2. Stripping of topsoil.

3. Mining of minerals

CD~ Permitted Accessory Uses: The following subject

to approval by the Planning Commission of building, site and operational plans per section

17.05.

Off ice, outside storage of machinery and equipment.

Stockpiling of extracted materials or soil covering material.

Power supply and other such uses normally auxiliary to the permitted uses.

4. Signs as permitted in the underlying district.

5. Residential quarters for the guard or caretaker.

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